

Derby, Erin Rigney

From: Leonard Bennett [lenbennett@clalegal.com]
Sent: Tuesday, May 03, 2011 1:32 PM
To: Patrick, Danyel M.
Cc: 'jbazaz@bazazlaw.com'; Matt Erausquin; 'bcasey@taylorwalkerlaw.com'; Lynch, John C.; Ostroff, Ethan G.
Subject: Re: Letter from John Lynch

Counsel:

The Order is 5 non-party deps. We have not taken any non-party deps.

Further, we have only taken 2 of 5 deps as to GMAC and 2 of the 5 for the co-defendant. (Its not 5 total, as you certainly know).

I also think it a dangerous position for you to take to seek advantage from your failure to properly disclose witnesses - by timing and substance. We are taking the various depositions because you have not otherwise disclosed them in time for us to do alternate discovery, or with sufficient discovery compliance for us to more carefully target specific witnesses.

Regardless, given your position, we are canceling the May 13 dep of the no-knowledge "GMAC representative" and instead will use that date for a hearing on our several discovery motions to be filed this week.

Len Bennett

On May 3, 2011, at 1:00 PM, Patrick, Danyel M. wrote:

Mr. Bazaz and Mr. Bennett:

Attached is a letter from Mr. Lynch regarding the GMAC/Wilkes matter. Thank you.

Danyel M. Patrick
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<Letter to John Bazaz and Leonard Bennett.pdf>